

REMARKS

This application has been carefully reviewed in light of the final Office Action dated June 5, 2006. Claims 145, 146, 149 to 151, 153 to 155, 158 to 160, 162, 163, 166 to 168 and 172 to 187 are pending in the application. Claims 145, 149, 150, 153, 158, 159, 162, 163, 167, 168, 172 to 175 and 182 to 184 have been amended, and Claims 145, 153, 154, 162, 163, 172 to 175 and 185 to 187 are in independent form. Reconsideration and further examination are respectfully requested.

Claims 145, 153, 154, 162, 163, 172 to 175 and 182 to 184 were rejected under 35 U.S.C. § 112, second paragraph, for alleged indefiniteness.

In particular, it was alleged that the terms “format” and “outside device” as recited in Claims 145, 153, 154, 162, 163, and 172 to 175 are too generic to understand how they are being used with the claims. The term “format” has been amended to “display format”, and the term “outside device” has been amended to “outside display device”. Support for such display format and outside display device can be found, for example, at least at page 25, lines 6 to 20 and Figure 15 of the specification.

In addition, it was alleged that the terms “large” and “small” as recited in Claims 182, 183, and 184 are relative terms that render the claims indefinite. The amendments to Claims 182 to 184 are seen to attend to this rejection.

Accordingly, reconsideration and withdrawal of the § 112, second paragraph, rejection are respectfully requested.

Claims 145, 146, 150, 151, 153 to 155, 159, 160, 162, 163, 166, 167, 173, 175 to 181 and 185 to 187 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,302,844 (Walker); Claims 149, 158 and 167 were rejected under 35 U.S.C. § 103(a) over

Walker in view of U.S. Patent Application Publication No. 2002/0077953 (Dutta); Claims 172 and 174 were rejected under 35 U.S.C. § 103(a) over Walker in view of Dutta; and Claims 182 to 184 were rejected under 35 U.S.C. § 103(a) over Walker in view of U.S. Patent No. 6,478,736 (Mault). These rejections are respectfully traversed.

Claims 145, 153, 154, 162, 163, 172 to 175

Among its many features, the invention of Claims 145, 153, 154, 162, 163, 172 to 175 as amended provides for (i) presenting a list of facilities (or hospitals) according to analysis results, (ii) counting a number of reservations, in the event that reservations have been made at an arbitrary facility (or hospital) from the presented facility (or hospital) list, and (iii) giving cash back based on the counted number of reservations. The applied references of Walker and Dutta are not seen to disclose or suggest at least these features.

The Office Action asserted that it would have been obvious to modify Walker in view of Dutta, in order to refund money in an e-commerce system and/or business method. However, Applicants respectfully submit that this is a post-hoc rationalization for making the combination, which is not supported by any teachings in the prior art itself. In particular, while it may be a general objective to refund money, such an objective does not provide any suggestion of the means by which this objective might be attained.

Furthermore, Applicants submit herewith a sworn translation of Japanese Patent Application No. 2000-176735, from which the present application claims priority under 35 U.S.C. § 119. In accordance with MPEP § 201.15, the Examiner is requested to confirm that Applicants are entitled to their June 13, 2000 priority date. Once the

Examiner makes such a determination, the Examiner is respectfully requested to remove Dutta, dated December 14, 2000, as a reference against the subject application.

Allowance of Claims 145, 153, 154, 162, 163, 172 to 175 is therefore respectfully requested.

Claims 185 to 187

Among its many features, the invention of Claims 185 to 187 provides for (i) creating a duplicate of enciphered body temperature data, (ii) deciphering the created body temperature data, (iii) analyzing the body temperature data deciphered in the data deciphering step, and (iv) deleting the deciphered body temperature data following completion of the analysis. The applied references are not seen to disclose or suggest at least these features.

The Office Action, at page 4, indicates that Claims 185 to 187 “are rejected on the same basis as the above claims” (i.e., Claims 145, 153, 154, 162, 163, 172 to 175).

Applicants respectfully disagree, since the arguments presented for the invention of Claims 185 to 187 do not necessarily match those presented for the invention of Claims 145, 153, 154, 162, 163, 172 to 175.

Allowance of Claims 185 to 187 is therefore respectfully requested.

Accordingly, based on the foregoing amendments and remarks, independent Claims 145, 153, 154, 162, 163, 172 to 175 and 185 to 187 are believed to be allowable over the applied references.

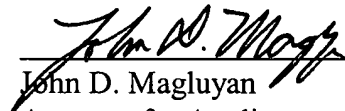
The other claims in the application are each dependent from the independent claims and are believed to be allowable over the art of record for at least the same reasons.

Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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